IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE PIUS C.KURIAKOSE

THURSDAY, THE 11TH JANUARY 2007 / 21ST PAUSHA 1928

WP(C).No. 1243 of 2007(W)

PETITIONER:

A.THANAGAL KUNJU, AGED 56 YEARS,
S/O. ABDUL RAZZAK, (DRIVER, K.S.R.T.C.,
CHENGANNUR, RETD. ON 30.6.2005), NAMBOOKAVIL
KIZHAKKETHIL, KURATTISSERI, MANNAR P.O.,
ALAPPUZHA DISTRICT.

BY ADV. SRI.K.P.RAJEEVAN

RESPONDENT:

KERALA STATE ROAD TRANSPORT CORPORATION,
REPRESENTED BY ITS MANAGING DIRECTOR,
TRANSPORT BHAVAN, FORT, THIRUVANANTHAPURAM.

BY ADV.MR.JOHNSON P.JOHN, S.C.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 11/01/2007,THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

PIUS C. KURIAKOSE,J.

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W.P.(C)No.1243 of 2007

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Dated: 11th January, 2007

JUDGMENT

The petitioner who retired as Driver from the Chengannoor Depot of the K.S.R.T.C. has filed this Writ Petition seeking out of turn release of his retiral benefits including Provident Fund and Staff Welfare Fund. Since the petitioner is having only 12 years of qualifying service, the total amount due to the petitioner on account of Commuted Value of Pension, D.C.R.G., Provident Fund and Staff Welfare Fund will be around Rs.1,25,000/- only. Exts.P2 and P2A will show that the petitioner's claim that the marriage of his daughter has been arranged and funds are necessary for conducting the marriage is correct. Under these circumstances, in view of the principles liad down by the Division Bench of this court in the judgment in W.A.No.1775/04, this Writ Petition will stand allowed in the following terms:

The K.S.R.T.C. will release to the petitioner all the amounts due to him on account Commuted Value of Pension, D.C.R.G., Provident Fund together with statutory interest and Staff Welfare Fund at the

earliest and at any rate by 1st of February, 2007. The payment as ordered above will be made by means of an instrument encashable at Chengannoor.

srd **PIUS C.KURIAKOSE, JUDGE**